

General Plan 2020 Steering Committee Meeting January 12, 2002 – Minutes

Attendees:

George Vanek	Alpine
Chuck Davis	Bonsall
Tom Weber	Borrego Springs
Duane Bright	Borrego Springs
Richard Whitaker	Boulevard
Tim McMaster	Crest-Dehesa
John Elliot	Descanso
Jim Russell	Fallbrook
Thomas Franci	Hidden Meadows
Shirley Fisher	Jacumba
Dan Neirinckx	Jamul/ Dulzura
Gordon Shackelford	Lakeside
Joe Chisholm	Pala Pauma
Bill Huskey	Pine Valley
Gordon Hammers	Potrero
Jim Anderson	Rainbow
Curtis Nicolaisen	Rainbow
Dutch van Dierendonck	Ramona
Lois Jones	San Dieguito
John Ferguson	Spring Valley
Richard Stringham	Tecate
Gil Jemmott	Twin Oaks
Sandra Farrell	Twin Oaks
Jack Phillips	Valle de Oro
Larry Glavinic	Valley Center

Visitors:

Kathleen Thuner	Department of Agriculture, Weights & Measures
Keith Behner	Rancho Santa Fe Assn.
Jan Van Dierendonck	Ramona CPG
Karen Scarborough	Interest Group Committee
Mary Allison	USDRIC – Lakeside
Juliana Bugbee	Lakeside
Charlene Ayers	
Lael Montgomery	Valley Center
Rick Landavazo	Valley Center
Parke Troutman	
Sachiko Kohatsu	Supervisor Pam Slater's office

Planning Commissioners:

Bryan Woods

Staff:

Ivan Holler (DPLU)
Timothy Popejoy (DPLU)
Neal LaMontagne (DPLU)
Howard Blackson (DPLU)

Dahvia Locke-Rubinstein (DPLU)
Dixie Switzer (DPLU)

Meeting commenced at 9: 05 am.

First Agenda Item: Approval of November 17, 2001 Minutes

G. Jemmott commented on corrections to be made in the previous sets of Minutes. On Oct. 20 Minutes, two sets of comments were mixed up. The Golden Door Health Spa was not included in Industrial Agriculture, as noted in the Minutes. There were two separate comments made at the meeting of October 20th regarding: 1) Industrial Agriculture and the need to eliminate some things occasionally considered agriculture and move them into Industrial; 2) How to handle the Golden Door w/ respect to its current zoning as Visitor Serving Commercial.

G. Jemmott commented Page 7 (second set of Minutes) (Motion near bottom) Staff was going to look at things such as how to handle items like the Golden Door previously mentioned. Rural Commercial is not appropriate to uses such as health spas and related uses.

T. Popejoy mentioned that there currently is a Visitor Serving Commercial zoning designation.

G. Jemmott recalled that there was a motion at the last Steering Committee meeting to eliminate this zoning designation. However, he was informed that the Visitor Serving Commercial *land use designation* had been considered for elimination, not the *zoning designation* of the same name. He expressed his remaining concern that land currently supporting private operations such as the Golden Door health spa would allow strip malls or other higher impact uses under the Visitor Serving Commercial designation.

I. Holler reiterated that the proposal made at the previous S.C meeting was to change the land use designation, and that restrictive zoning designations would remain in place.

MOTION: To approve November 17, 2001 Minutes. J. Ferguson seconded the motion. Motion passed unanimously.

Second Agenda Item: Agriculture

B. Woods briefly introduced the topic of agriculture in the County. He then introduced Kathleen Thuner, Agriculture Commissioner for the County of San Diego, who would be involved in the dialogue. Woods also explained that the regional distribution map would be brought out for members to view and discuss from a regional perspective following the agricultural discussion.

I. Holler began the agricultural discussion by announcing that Gary Pryor had planned on attending the current S.C meeting, but was not feeling well and most likely would not arrive. He indicated that he would be deferring to agriculture expert, Kathleen Thuner, in many cases and that agriculture-related questions would be appropriately directed to her. Holler reiterated that G. Pryor has indicated on numerous occasions that he does not favor having agricultural designations in the General Plan 2020, and would prefer to handle agriculture as a business that would be allowed in any number of designations throughout the County. Agricultural uses that may be noxious (i.e, hog farms) would be regulated via the zoning ordinance.

The reason for G. Pryor's preference to refrain from including agricultural designations in the General Plan relates to the nature of agriculture in San Diego County. The type of agriculture found in San Diego County typically consists of smaller acreage farms with higher dollar value crops. Because agricultural

operations within the County are generally smaller and are not soil-dependent, they can occur throughout the County and do not require a special designation.

I. Holler then opened up the floor to questions and comments.

G. Hammers asked how DPLU's stance on agriculture in the General Plan interfaces with the state law requirement pertaining to defining agriculture in the General Plan.

I. Holler indicated that there would be a discussion of agriculture and the types of agriculture specific to San Diego County in the Conservation element of the General Plan. In addition, state soils maps as they relate to agricultural suitability may be included in GP2020.

K. Thuner elaborated on the reasons why San Diego County agriculture is unique and agricultural designations may not be necessary. She stated that her observation, after extensive work in the field since 1983, is that San Diego agriculture represents one of the few cases in an urban county where there is a high-rank valuable, viable agricultural industry that is not land-designated dependent. The reason for this may be that most counties (i.e, those in northern California) grow far fewer varieties of crops as a result of climate. The climate in San Diego County provides the opportunity to grow a wide range of crops with minimal energy (heat) input. However, the costs of land and water to supply these crops are among the highest in any county.

T. Weber interjected with a question about the relatively low cost of water in Borrego Springs agriculture.

K. Thuner responded by explaining that California has some of the highest costs for water *on average* and that some cases may vary. She also briefly elaborated on some of the agricultural trends in the Borrego Springs area that indicate that the cost of water in Borrego Springs has risen with the countywide trend, though agriculture in this area tends to be more akin to that in Riverside or other counties.

Thuner stated, ultimately, that the problem that she sees with the agricultural designator is that it does not always work. She went on to explain that we already have some land designated as "A70" which does not require agricultural uses, and in which non-agricultural uses do occur. This creates a conflict in A70 areas such that contiguous agricultural and non-agricultural operations exist. In effect, an agricultural designation may or may not maintain the viability of agriculture in the County. She concluded by stating that these and other observations lead her to believe that such a designation this probably will not protect the viability of agriculture in San Diego County.

G. Hammers commented that the major problem faced by communities is loss of agricultural land to residential development. He indicated that in 1921 the Federal Government opened up agricultural lands for the development of major subdivisions via the Agricultural Lands Act. He indicated that this misuse contributed to the loss of agricultural land that is currently being experienced. He expressed his serious concern that the approach that we are currently taking will guarantee that agricultural lands will be considered suitable for development, causing agricultural uses to no longer be viable in these areas. Hammers then cited examples in which this has taken place (Ketchner site), adding that this overall situation must be addressed.

K. Thuner asked what the role of the agricultural designator was in the instance that Hammers described, or in the overall situation that he illustrated.

G. Hammers stated that he was not certain of the relationship of the agricultural designator to this issue.

B. Woods brought the 2000 Crop Statistics Annual Report forward to illustrate the changes in agricultural acreage between 1990 and 2000. He pointed out that the only major agricultural use category in which there was a net loss of acreage occurred was “nursery flowers”. Acreage in all other categories rose. Between the years of 1990 and 2000, less than 3, 000 acres of agricultural land were lost out of 167,000 in San Diego County. The value of that land went up from \$934,000-\$1.25 million. He concluded that, overall, we have not actually lost anything under the existing land use management practices. Woods added that this is relative to the size of acreage that the average farm enjoys in the County of San Diego. He also recounted his discussion with a professor from San Luis Obispo who indicated that the agricultural designation utilized in northern California is applied to maintain agricultural lands for generations (within a family or business to business) and is entirely inapplicable to the County of San Diego where farms are not generally passed on in this manner. Agriculture in the County of San Diego is alive and well and does not require such restrictions.

D. van Dierendonck countered Woods point that families do not choose to pass farms down through the family. He stated that he has seen many family farms lost due to factors other than choice (Harmony Grove representation concurred that this scenario was reflected in Harmony Grove, as well). Van Dierendonck indicated his particular frustration with the Farm Bureau’s publication of statistics such as those in the 2000 Crop Statistics Annual Report, which present a picture of agriculture as thriving, while at the same time indicating that 65% of San Diego agriculture is dedicated to providing inedible crops such as ornamentals. He gave examples of the challenges to long-term viability faced by farmers of necessary food items such as dairy products, eggs, etc., particularly in the Ramona area. These challenges are contributing to the loss of 500,000 acres of agricultural property in the state of California over the last ten years. Van Dierendonck also pointed out the economic value of the horse industry to the state of California, and its unrecognized (by the Farm Bureau) legitimacy as an agricultural industry. He provided local examples of areas where this type of “agricultural use” is rapidly disappearing, as well as examples of locations in which property owners are willing to make major sacrifices in order to maintain this agricultural lifestyle without the need for special zoning. He offered his strong support for an agricultural designation in order to place certain lands in agricultural production and to create agricultural preserves to be farmed in perpetuity. In addition, he stated that we should be facilitating and simplifying the process of becoming involved in agricultural industries, including equestrian-related businesses.

B. Woods affirmed that this is a relevant issue. He stated, however, that folks cannot be forced to farm at the cost of water. He posed the rhetorical question: Would it be good planning to designate areas for agricultural uses that simply won’t occur due to the expense of water? Woods offered the suggestion that we create opportunities for agriculture and allow the market to then facilitate these uses.

D. Van Dierendonck clarified that he was suggesting that areas be created where such agricultural uses are permitted, not that these uses be mandated.

J. Elliott posed the question of whether or not an agricultural element that doesn’t represent regional issues would be acceptable?

G. Shackelford stated that he had a difficult time seeing any solution that would be agreeable to many interests. He explained that his view of the situation throughout the County is that the vast majority of properties are zoned at a residential density (1 du/ 4ac at the lower end). Thus, any property that has a designation that allows agricultural uses, is also designated in a manner that supports residential development. This provides an economic incentive for farmers to develop or sell their property to developers. A means of shifting this economic balance to encourage the maintenance of agriculture would be to significantly downzone agricultural lands (or lands desired for agricultural use) so that there is limited development capacity and little economic incentive for residential uses to occur. While he recognizes that the Farm Bureau has taken the opposite approach in an effort to increase agricultural land

values, he contends that this strategy is counterproductive. Because this notion of massive downzoning seems to be a necessary, but politically unpopular action, he finds it challenging to come up with viable solutions to this issue.

B. Woods agreed that Shackelford had accurately depicted this dilemma and the political obstacles to introducing an agricultural element (namely the opposition of the Farm Bureau). He then invited Thuner to comment on the discussion topic.

K. Thuner expressed her appreciation of the time that the S.C has put into discussing these difficult issues and offered to comment on several items. A) She stated that she appreciates the view that many have of “horticulture”, which is so prevalent throughout the County, referring only to the production of non-food items such as flowers. She explained, however, that the term “horticulture” was originally interpreted to include food-producing agriculture, as her offices began as the “Offices of the Horticulture Commissioner” in 1881. Producing flowers was not and is not necessarily viewed as a non-agricultural activity. B) Because of economic and other opportunities, there are very viable operations on land that is not designated for agriculture (i.e, not A70, A72, ag 20, ag 19). So, there is a real disconnect between where we have agricultural designators and where agriculture actually occurs. In fact, if an inventory were done on the location of agriculture over time, it would be visible that the movement of agriculture has not been nearly as related to the placement of agricultural designators (if at all) as it has been to factors such as the proximity of other like operations, the ease of getting produce to get it to the market, land purchase opportunities, etc. In discussing agricultural issues, it may be most critical to consider how agriculture may be somewhat promoted, protected, and made compatible by defining what it is that agriculture needs in order to operate viably on any piece of land. For example, with farming permitted by right on private land throughout the County, it is important to recognize that it is often the kind of agriculture that is allowed that becomes problematic due to incompatibilities with existing local land uses. While she believes that older land uses should be protected from incompatible new land uses (i.e, agriculture should be protected when new neighbors move in), she suggests that restricting certain types of incompatible uses will protect both existing farmers and local residents.

B. Woods thanked Thuner for her comments and opened up the floor to additional questions and comments for her or for Staff.

J. Russell expressed his agreement with Thuner and Pryor with respect to the fact that there is no piece of property in San Diego County that is not appropriate to grow crops and to raise animals. He also indicated that he has found growing gourds (an ornamental item) to be a very successful agricultural operation in San Diego County. He emphasized that, though this is not a food or fiber product, it effectively occupies and protects land. He contended that agricultural should be acceptable anywhere in the County, but pointed out the difficulties that noxious agriculture does present. This conundrum cannot be solved simply through zoning considering that an agricultural designator, if not utilized due to the economic or political infeasibility of certain types of agricultural uses, would not serve its intended purpose and could cause non-use of some lands. There needs to be some flexibility for agricultural lands to be used for a variety of uses, even if these all fall under the agricultural umbrella. Ultimately, he stated that the Williamson Act may be utilized to save agricultural property without changing the General Plan. He concluded that after examining six other agricultural elements from northern California, placing an agricultural element in the General Plan would be one of the most effective ways to drive agriculture out of the county.

J. Chisholm echoed his agreement with Thuner’s comments about protecting existing agricultural uses when new residents move onto nearby property. However, in his community high-density projects have been developed adjacent to agricultural uses, causing normal farming practices to be detrimentally restricted (i.e, crop dusting prohibited, etc.). At times, residents have sabotaged local agricultural

operations to the point of driving them out of the area. He indicated that another major issue is that agricultural lands, due to their affordability, are often scoped as potential private school sites. This creates other problematic impacts in terms of circulation, safety, destruction of the rural atmosphere, etc. For these reasons, he stated that there must be some sort of protection for rural agricultural areas in order to keep uses that are first order incompatible with agriculture out of these locations.

B. Woods stated that he liked the examples that Chisholm brought up. He suggested that the solution to these issues, without an agricultural element, lies in the zoning ordinance. He also pointed out that Tim Popejoy would be responsible for working on this sort of issue as it relates to the updated Zoning Ordinance. Woods then requested that Popejoy comment on how the Zoning Ordinance, if written properly, can provide means by which the objectives discussed in the meeting could be achieved, including resolving greenways issues, providing an array of agricultural and equestrian-friendly zoning options, etc. He indicated the need for greater discussion and education about the zoning tools potentially available.

J. Chisholm responded that land must be committed to a use, irrespective of the nomenclature utilized. He suggested that agricultural lands be treated like a valuable resource and land use, in the manner that Industrial or Commercial lands are committed, or certain areas are set aside for the protection of habitat. He stressed the example of the AG19 zoning designation which, though at times difficult to interpret, does indicate that there is a place for agricultural land and that it is valuable. This illustrates a necessary long-term commitment to the preservation of agriculture that may be absent in non-committal language or designations that are not agriculture-specific.

B. Woods reiterated that it does not make sense to force agricultural land uses where they are not economically viable. He stated that supply and demand economics dictates the use of land.

J. Chisholm agreed with the statement that the government should not mandate that lands be used for agriculture.

J. Ferguson stated that some of the stories of residential developments occurring near agricultural uses are a result of zoning incompatibility issues that should have been addressed by previous planning groups. There are also numerous cases in the county where high impact agriculture uses are allowed near residential areas. These examples illustrate the fact that zoning is only a powerful tool when effectively written and applied on the ground. He also stated that buffering is a primary means of protecting. Ultimately, the Community Planning Groups and other groups need to begin examining their communities in order to work toward the application of appropriate zoning and the minimization of incompatibilities.

B. Woods commented that he felt that working at the community level to identify this type of incompatibilities and address them through the Zoning Ordinance is the key to resolving many of the issues up for discussion. He provided the example of Lakeside's chicken ranches and the incompatibility issues surrounding residential development near this site.

J. Ferguson focused the group by summarizing three primary issues at hand. He identified the three questions to be answered as: 1) Should the County undertake a special effort to preserve or not to preserve agricultural lands, 2) How should lawsuits be prevented or dealt with (i.e, the Ag. 20 lawsuit), 3) Should there be separate Agricultural zone? Ferguson then tabled what he considered a critical underlying question about whether most of the agriculture in the County was likely to be impactive to the degree that it will require buffering or not, to which Thuner (briefly) and Popejoy responded.

K. Thuner responded that the type of agriculture to be expected both “is and isn’t” of a nature that requires buffering. She clarified by explaining that some types and portions of operations should be buffered while others do not require buffering for a variety of reasons.

T. Popejoy clarified the two tools within the Zoning Ordinance that may be utilized to prevent zoning incompatibilities with respect to agriculture. These two tools are: A) Zoning Intensity types which includes a list of compatibilities and incompatibilities of type, and B) the permit process, which aims to identify and prevent or mitigate for incompatibilities of use.

I. Holler re-focused the group on the issue of whether or not there should be an Agricultural designation in General Plan 2020.

J. Phillips briefly returned to the issues of compatibility that Ferguson brought up. He emphasized that most agriculture is compatible with some other uses. He suggested that there is a need to identify Agricultural lands in some way with appropriate densities, since farms are becoming smaller and smaller, though often only larger farms may remain viable (economies of scale). Ultimately, Phillips reiterated his view that there is a need for an Agricultural Element.

B. Woods posed the question of whether mandating that land stay in agricultural use is the equivalent of Land Banking?

D. van Dierendonck suggested that other land use designations operate to maintain certain less desirable uses than agriculture, such as the Rural Residential designation which has the effect of keeping property in large estate development.

J. Russell brought up case studies illustrating the potential for legal challenges presented by the use of limiting land use designations such as an agricultural designation.

D. van Dierendonck restated the need for an Agricultural Element that incorporates animal husbandry as an important type of agricultural use.

G. Shackelford explained that agriculture is generally driven by economics (i.e, often only economies of scale are viable). Shackelford then asked van Dierendonck if he would be interested in seeing reduced densities to accommodated agriculture?

D. van Dierendonck responded that he would accept increases in density in other places to accommodate larger scale agriculture where appropriate.

B. Woods requested a motion or group position on the issue of incorporating an Agricultural Element in General Plan 2020.

J. Ferguson (Spring Valley representative) requested that Staff state their position on this item.

I. Holler indicated that Staff does not support an Agricultural Element, but recommends the discussion of agriculture in the Conservation and Open Space Element. He also stated that agricultural land use regulations could be more effectively addressed through the Zoning Ordinance and the use of existing tools such as Agricultural Preserves.

C. Meyer asked about the existing discussion of an Agricultural Element in the current General Plan.

B. Woods explained that the County had been sued for discussing an Agricultural Element in the text of the General Plan, but not producing that Element. This created an alleged internal inconsistency in the General Plan.

T. Weber commented that, as a rule, the Agricultural Element would only be relevant for areas near the County Water Authority boundary. He stated that, with most of the unincorporated area not served by the CWA, areas with water issues (particularly Borrego) require flexibility in terms of planned density in order to *reduce* the amount of agriculture in their communities.

T. Popejoy asked Holler if addressing agriculture in the Conservation/ Open Space Elements would eliminate Williamson Act contracts or impact Agriculture (19) restrictions.

I. Holler responded that this would not impact the Williamson Act. Agriculture would continue to be permitted by right in all of the areas where this use is currently permitted.

Public Comment: A local farmer commented that the definition of “agriculture” needs to be expanded and greater opportunities for agriculture should be provided. Without some protections on land, it is difficult to project the viability of agriculture operations.

K. Thuner addressed the citizens’ comment, stating that efforts to preserve agriculture would not necessarily protect or promote it.

B. Woods brought the discussion to a close. He commended the group for their diligent and productive effort, but stated that it was difficult to come to any conclusions during the meeting. He summarized some of the key ideas and points emerging from the days’ discussion:

- 1) Agricultural Element would be more restrictive than other mechanisms for addressing the needs of agriculture,
- 2) “Agriculture” requires more definition and a common vernacular in order to inform the Zoning Ordinance.

Third Agenda Item: Preliminary Draft Distribution Map

B. Woods initiated a discussion about the draft preliminary regional population distribution map. He indicated that regional issues could be discussed in the context of the group, but that opportunities for dialogue with staff regarding specific areas would be available outside of the meeting.

T. Popejoy introduced the two regional population distribution overlays, emphasizing that the population distribution depicted is merely a *draft*. He explained that two regional maps had been drawn; one more conceptual map demarcating areas with density ranges (depicting areas within village limits in contrast with more rural or open areas), and another more parcel-specific overlay with detailed density information. Popejoy described the principles informing the regional overlay and how it was developed (using the Concepts, Steering Committee input, and other Planning tools). He also explained other physical characteristics illustrated and their relevance, such as the County Water Authority boundary.

I. Holler reiterated that Staff sought input on regional issues only at this Steering Committee meeting, and that other items could be discussed in different forums.

J. Phillips brought up his concerns about the “Urban Limit Line” and asked how this could be applied when “Villages” are identified on this map within a range of densities (on the conceptual overlay). He stated that this issue should be resolved for the purposes of the land use map. He also indicated that Valle

De Oro supported the “Village Core” concept and terminology only if the so-called “Urban Limit Lines” were recognized and preserved. He made the strong point that the Urban Limit Lines have been used as mitigations for growth-inducement on sewer system expansion projects, and that those mitigations cannot now be discarded.

B. Woods (elucidated) that density ranges were workable for the purposes of this map.

G. Vanek expressed his concern that decisions were made on the draft map in an arbitrary fashion, citing examples of 1DU/ 2acre densities near 1DU/ 40 acre densities.

J. Elliott stated that he felt that staff was not considering his communities’ input at all.

G. Jemmott echoed the same sentiment with regard to Twin Oaks.

R. Whitaker agreed with respect to Boulevard.

G. Hammers stated that he would like to see some suburban densities in some areas. He also asked why this type of map was utilized in areas with mixed topography.

T. Popejoy reiterated that the conceptual map overlay depicted ranges of densities that apply to various areas within the identified area. Thus, larger areas with topographical constraints may have densities at the lower end of the range.

B. Woods announced that the Committee would take a break at this time (11:10am) in order for individuals to view the map up close. The group reconvened at 11:40am.

D. Neirinckx commented that densities must be increased for areas Village Cores.

B. Woods replied that not all communities favored having a Village Core in their CPA.

B. Huskey requested Staff confirmation that this is a *draft* map and that it will be returned to the communities for input and possible tweaking.

B. Woods responded that Huskey’s understanding was correct. Woods also emphasized that, though the communities will have the opportunity to provide input and possibly make changes, any changes to the maps must be in line with good planning principles and defensible from a planning standpoint.

J. Phillips re-stated his view that the “Urban Limit Line” must be defined/ addressed with respect to the Regional Categories before VDO would support this map or future iterations.

A brief discussion of the role of the Regional Categories and Transfer of Development Rights (TDR) as related to the Categories ensued. No conclusions were drawn.

MOTION: D. van Dierendonck made a motion to direct staff to digitize community level renditions of the draft preliminary population distribution map so that it may be brought to the communities in order to obtain input, make comments, etc. Also, Staff should be available to show the map to the communities and to provide “Planning 101” (Gary’s version) education to those interested. R. Whitaker seconded the motion.

Some brief discussion followed regarding the importance of bringing the maps to the Community Planning Groups and to the public. The motion was augmented to include:

“Communities do not endorse the map as it is.”

Motion passed with all in favor. One abstention, L. Jones.

Meeting adjourned at 12:15pm.